

## Cincinnati Finance Center



### IAG Project Officer Approval

Bill No: EST#8	Type: 1080	Schedule: n/a
IFMS IAG Document: DW96941988	IAG Start: 06/30/03	IAG End: 12/31/11
Agency: Army Corps of Engineers		
Title: BROOK INDUSTRIAL PARK		
IFMS Invoice Barcode: B1001114642	Work Start: 04/27/08	Work End: 12/31/08
Pay to: CAPE ENVIRONMENTAL INC	Type: Direct	
Note: THIS IS A FINAL PAY ESTIMATE WHICH NEEDS P.O. APPROVAL		

Invoice Total: 53,081.77

Comments (Required when disapproving or suspending.)

Date: 06/23/2011

☒ Approved

☐ Disapproved

Suspense Amount: 0.00

Approved by:   
Date: 6/23/11

Submit

Allocated Total: 53081.77

Remaining: 0.00

Line	BFY	Fund	Org	Program	Cost Org	Site/Job	BOC	RQ	Description	Available	Allocate
007	06	T	2AD0R	302DD2C	C001	0295RA01	2507	062AHE0258	BROOK INDUSTRIAL PARK	52417.54	52417.54
008	07	T	2AD0R	302DD2C	C001	0295RA01	2507	072AHE0291	BROOK INDUSTRIAL PARK	200000.00	664.23

James D. Smith  
1840

# PROJECT OFFICER APPROVAL NOTIFICATION

06/17/11

GOTTESMAN, JUSTIN  
EPA  
290 BROADWAY

NEW YORK, NY 10007-1866

---

ATTACHED IS A COPY OF A BILL THAT HAS BEEN  
RECEIVED AT THE CINCINNATI FINANCE CENTER.

IAG# : *DW96941988*

BILL# : *EST#8*

AMOUNT : *53,081.77*

DATE EMAIL SENT : *06/17/11*

THE PROJECT OFFICER APPROVAL HAS BEEN EMAILED TO YOU. THIS  
IS JUST A COPY OF THE BILL FOR INFORMATIONAL PURPOSES AND  
CAN BE KEPT IN YOUR RECORDS.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL *513-487-2056*



278378-4 (ACH)

FY11

FY11

FY11

PAYMENT ESTIMATE - CONTRACT PERFORMANCE  
For use of this form, see ER 37-2-10 and 37-345-10

1. DATE: April 13, 2011



B100111464 2

2. CONTRACTOR AND ADDRESS: CAPE ENVIRONMENTAL MANAGEMENT INC.  
2302 PARKLAKE DRIVE, SUITE 200  
ATLANTA, GA 30345-29073. CONTRACT NO.  
DACW/41-01-D-0028 DO# 00056. DESCRIPTION OF WORK  
REMEDIAL ACTION SUPPORT AT THE BROOK INDUSTRIAL PARK SUPERFUND SITE,  
BOROUGH OF BOUND BROOK5. APPROPRIATION AND PROJECT  
68 20 X 6145 0000 ED 2005 00 0000 012889 00000  
3230 2884LG7. REQUIRED COMPLETION DATE  
December 31, 20088. LOCATION  
BOROUGH OF BOUND BROOK, SOMERSET COUNTY, NEW JERSEY9. PERIOD COVERED BY THIS ESTIMATE  
FROM 27 APRIL 2008 THRU 31 DECEMBER 2008

10. JOB ORDER NO.

11. ESTIMATE NO.  
008 (FINAL)

ITEM NO. a	DESCRIPTION b	CONTRACT			TOTAL TO DATE	
		QUANTITY AND UNIT c	UNIT PRICE d	AMOUNT e	QUANTITY AND UNIT f	AMOUNT g
1.1	MEETINGS	1.00 LS	\$3,111.00	\$3,111.00	100.00 %	\$3,132.42
1.2	PROJECT MANAGEMENT AND ADMINISTRATION	1.00 LS	\$209,679.00	\$209,679.00	84.99 %	\$178,128.08
2.1	COLLECTING SAMPLES	1.00 LS	\$14,841.00	\$14,841.00	99.63 %	\$14,785.99
2.2	SAMPLING ANALYSIS	1.00 LS	\$183,456.00	\$183,456.00	99.78 %	\$183,048.03
2.3	SAMPLING REPORT	1.00 LS	\$6,873.00	\$6,873.00	100.49 %	\$6,703.47
3.1	MOBILIZATION	1.00 LS	\$17,322.00	\$17,322.00	100.77 %	\$17,455.95
3.2	SITE CONTROLS	1.00 LS	\$36,451.00	\$36,451.00	87.06 %	\$31,740.05
3.3	SUBSURFACE PITS	1.00 LS	\$160,618.00	\$160,618.00	100.76 %	\$161,833.26
3.4	FORCE MAIN RELOCATION	1.00 LS	\$455,633.00	\$455,633.00	100.12 %	\$456,101.30
3.5	WETLAND FENCING	1.00 LS	\$67,229.00	\$67,229.00	95.40 %	\$64,807.50
3.6	WETLAND CLEARING AND GRUBBING	1.00 LS	\$22,858.00	\$22,858.00	98.92 %	\$22,512.07
3.7	WETLAND EXCAVATION	1.00 LS	\$253,000.00	\$253,000.00	100.34 %	\$253,867.60
3.8	WETLAND SOIL TRANSPORTATION AND DISPOSAL	1.00 LS	\$874,117.00	\$874,117.00	99.92 %	\$873,387.57
3.9	WETLAND BACKFILL	1.00 LS	\$225,656.00	\$225,656.00	100.64 %	\$226,781.90
3.10	SITE RESTORATION	1.00 LS	\$120,811.00	\$120,811.00	99.05 %	\$118,488.53
3.11	DEMOLITION	1.00 LS	\$32,422.00	\$32,422.00	101.37 %	\$32,965.86
3.12	CONSTRUCTION SITE MANAGEMENT	1.00 LS	\$597,918.00	\$597,918.00	101.68 %	\$607,138.68
3.13	REMOVAL ACTION COMPLETION REPORT (RACR)	1.00 LS	\$80,816.00	\$80,816.00	87.74 %	\$78,995.38
3.14	DEWATERING	1.00 LS	\$72,092.00	\$72,092.00	99.78 %	\$71,931.41
4.1	WAD CLOSEOUT	1.00 LS	\$5,124.00	\$5,124.00	36.64 %	\$1,874.46
5.1	FEES	1.00 LS	\$205,681.00	\$205,681.00	100.00 %	\$205,681.00
6.1	TRAVEL	1.00 LS	\$78,384.00	\$78,384.00	79.70 %	\$62,476.83
7.1	WASHOUT RECONSTRUCTION	1.00 LS	\$69,723.00	\$69,723.00	88.60 %	\$67,281.68
7.2	SLOPE STABILIZATION	1.00 LS	\$157,991.00	\$157,991.00	88.67 %	\$127,282.57

INCLUDES MODIFICATION THRU: 007

TOTAL CONTRACT

\$3,951,198.00

TOTAL EARNINGS TO DATE

\$3,868,366.69

REMARKS

## 12. PRESENTED FOR PAYMENT

PAYEE: CAPE ENVIRONMENTAL MANAGEMENT, INC.  
2302 PARKLAKE DRIVE, SUITE 200  
ATLANTA, GA 30345-2907

PER: RICHARD VALLEJO

DATE: Wednesday, April 13, 2011

TITLE: V.P. DIRECTOR OF FINANCE

## 13. APPROVED FOR PAYMENT

I CERTIFY that I have checked the quantities covered by this estimate; that the work was actually performed; that the quantities are correct and consistent with all previous computations as actually checked; that the quantities and amounts are wholly consistent with the requirements of the contract or other instrument involved.

SIGNATURE: NEAL F. KOB, JR. COR.  
CONTRACTING OFFICER APPROVAL (Signature)

TITLE: RESIDENT ENGINEER

DATE: 10 June 2011  
10 June 201114.A. PREVIOUS DEDUCTIONS OTHER THAN  
RETAINED PERCENTAGE \*\*

\$0.00

B. PREVIOUS RETAINED PERCENTAGE

\$0.00

C. PREVIOUS PAYMENT

\$3,815,284.92

D. PREVIOUS EARNINGS (A+B+C)

\$3,815,284.92

E. EARNINGS THIS PERIOD (TOTAL EARNINGS  
TO DATE MINUS D.)

\$53,081.77

F. LESS RETAINED PERCENTAGE

\$0.00

G. LESS DEDUCTION OTHER THAN RETAINED PERCENTAGE FOR

\$0.00

H. TOTAL DEDUCTIONS FOR THIS PERIOD (F+G)

\$0.00

I. RETAINAGE REFUNDED

\$0.00

J. OTHER REFUNDS

\$0.00

K. TOTAL REFUNDS THIS PERIOD

\$0.00

L. AMOUNT DUE CONTRACTOR (E - H + I + J)

\$53,081.77

15. RECAPITULATION:

TOTAL RETAINED PCTG. (B+H)

\$0.00

TOTAL PAID (C+L)

\$3,868,366.69

FORM 348 (1-01-78)

PREVIOUS EDITION OF THIS FORM IS OBSOLETE.

(USE SECOND SHEET FOR DETAILED EXPLANATION AND/OR REMARKS)

Dew 9694198.8

(S/F)



Standard Form 1074 Revised October 1987 Department of the Treasury (TFM 4-2000) 1044-121		<b>PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL</b>				VOUCHER NO.  BRK0008 FINAL	
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION  U.S. Army Corps of Engineers ATTN: Mr. Donald E. Hooker Department of the Army Kansas City District, Corps of Engineers 700 Federal Building Kansas City, Missouri 64106-3596					DATE VOUCHER PREPARED 01/28/2010		SCHEDULE NO.
					CONTRACT NUMBER AND DATE DACW41-01-D-0028		PAID BY
					REQUISITION NUMBER AND DATE		
					PAYEE'S NAME AND ADDRESS Cape Environmental Management, Inc. 2302 Parklake Drive, Suite 200 Atlanta, GA 30345-2907		
DISCOUNT TERMS							
PAYEE'S ACCOUNT NUMBER							
GOVERNMENT B/L NUMBER							
SHIPPED FROM					TO		WEIGHT
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OF SERVICES <small>(Enter description, item number of contract or Federal supply schedule, and other information as directed necessary)</small>			QUANTITY	UNIT PRICE COST PER	AMOUNT (1)
	04/27/2008 to 12/31/2008	Job Name: Remedial Action Support at the Brook Industrial Park Superfund Site, Borough of Bound Brook Somerset County, New Jersey  Delivery Order No: 0006					S 53,081.77
COST REIMBURSABLE PROVISIONAL PAYMENT "I certify that all payments requested are for appropriate purposes and in accordance with all the agreements set forth in the contract"							
Name of Official: <u>Richard Valenzuela</u> Title: <u>V.P. Director of Finance</u>							
(Use continuation sheet if necessary) (Payee must NOT use the space below)							
PAYMENT: <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> COMPLETE <input checked="" type="checkbox"/> FINAL <input type="checkbox"/> PROGRESS <input type="checkbox"/> ADVANCE					APPROVED FOR BY TITLE AUDITOR, DCAA		TOTAL S 53,081.77
DIFFERENCES					Amount verified correct for (SIGNATURE OR INITIALS)		
Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.							
(Date)		(Authorized Certifying Officer) (2)				(Title)	
ACCOUNTING CLASSIFICATION							
CHECK NUMBER ON ACCOUNT OF U.S. TREASURY				CHECK NUMBER ON (Name of bank)			
CASH DATE				PAYEE (3)			
1. When stated in foreign currency, insert name of currency. 2. If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title. 3. When a voucher is received in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.						PER  TITLE	

Previous editions usable.

#### PRIVACY ACT STATEMENT

The information requested on this form is required under the provisions of 31 U.S.C. 302 and 35a, for the purpose of disbursing Federal money. The information reported is to identify the purchaser of goods and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.





## CONTRACTOR'S RELEASE OF CLAIMS

CONTRACT NO. DACW41-01-D-0028 /0006

Pursuant to the terms of Contract No. DACW41-01-D-0028 /0006 and in consideration of the sum of Three Million Eight Hundred Sixty Eight Thousand Three Hundred Sixty Six Dollars and sixty nine cents (\$3,868,366.69), which has been or is to be paid under the said contract to CAPE ENVIRONMENTAL MANAGEMENT INC (hereinafter called the Contractor) or its assignees, if any, the Contractor, upon payment of the said sum by the UNITED STATES OF AMERICA (hereinafter called the Government) does remise, release and discharge the Government, its officers, agents, and employees of and from all liabilities, obligations, claims and demands whatsoever arising out of or under this contract, subject only to the following exceptions:

1. Specified claims in stated amounts, or in estimated amounts where the amounts are not susceptible of exact statement by the contractor, as follows:  
None
2. Claims, together with reasonable expenses incidental thereto, based upon the liabilities of the contractor to third parties arising out of the performance of this contract, which are not known to the contractor on the date of the execution of this release, and of which the contractor gives notice in writing to the Contracting Officer not more than six (6) years after the date of the release or the date of any notice to the Contractor that the Government is prepared to make final payment, whichever is earlier; and
3. Claims for reimbursement of costs (other than expenses of the Contractor by reason of his indemnification of the Government against patent liability), including reasonable expenses incidental thereto, incurred by the Contractor under the provisions of the contract relating to patents.

The Contractor agrees, in connection with patent matters and with claims which are not released as set forth above, to comply with all of the provisions of the said contract, including without limitation those provisions relating to notification to the Contracting Officer and relating to the defense of prosecution and of litigation.



IN WITNESS WHEREOF, this release of claims has been executed this 10<sup>th</sup> day of  
February 2010.

(Contractor Name)

CAPE ENVIRONMENTAL MANAGEMENT INC

BY:



TITLE:

Richard Vallejo, Vice President of Finance

Witnesses:

(1)

\_\_\_\_\_

(2)

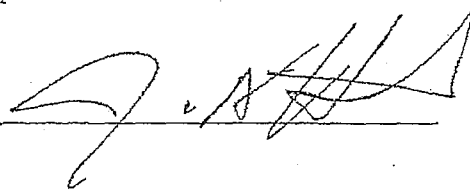
\_\_\_\_\_

*(NOTE: In the case of a corporation, witnesses are not required, but the  
certificate below must be completed.)*

#### CERTIFICATE

I, Juan A. Hernandez, certify that I am the Corporate Secretary of the corporation named  
as Contractor in the foregoing release; that Richard Vallejo, who signed said release on  
behalf of the Contractor was the Vice President of Finance of said Corporation; that said  
release was duly signed for and in behalf of said corporation by authority of its governing  
body and is within the scope of its corporate powers.

Signed:



(CORPORATE SEAL)



JUN 15 2011

LETTER OF TRANSMITTAL

IAG NUMBER: Remedial Action Brook Industrial Park DW96941988-01-0

PAYMENT NUMBER EIGHT (08 - FINAL)

REFERENCE: Remedial Action Support  
Brook Industrial Park Superfund Site  
Bound Brook, New Jersey

CONTRACT: DACW41-01-D-0028, Task Order No. 0006  
Cape Environmental

AMOUNT: \$53,081.77

FROM: US Army Corps of Engineers  
Environmental Residency  
Attn: Neal F. Kolb  
214 State Route 18 North  
East Brunswick, NJ 08816

TO: US Environmental Protection Agency  
Cincinnati Financial Management Center  
MS 002  
26 W Martin Luther King Drive  
Cincinnati, Ohio 45268-7002  
Attn: Mr. Jeffrey J. Marsala (513) 487-2056  
Fax No. (513) 487-2063

Signature: Bonnie B. Lowe

816-389-3803

Contracting Officer, USACE

(Phone No. 70 June 2011)

Date: 10 June 2011

Please return a signed copy to the address above. Thank You.  
Received by:

Signature: Jm  
Jefferey J. Marsala, USEPA

Date: 6/16/11

